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Dated: December 9, 2005 Signature:

(Leah Kjellen)

Docket No.: 514862002700  
Clt Ref: FC/LB 55123  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

David BERGMAN et al.

Application No.: Not Yet Assigned

Art Unit: Not Yet Assigned

Filed: Concurrently Herewith

Examiner: Not Yet Assigned

For: ASSAY DEVICE AND METHOD

### FIRST PRELIMINARY AMENDMENT

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
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Dear Madam or Sir:

### INTRODUCTORY COMMENTS

Prior to examination on the merits, Applicants respectfully request entry on this Preliminary Amendment for the above-captioned patent application.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 14 of this paper.